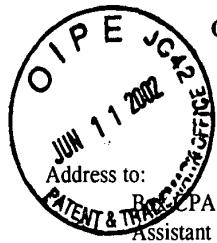


6-13-02

1632

CPA
1600
JUN 18 2002CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL
UNDER 37 CFR 1.53(d)Address to:
BOX CPAAssistant Commissioner for Patents
Washington, D.C. 20231

Atty Dkt No. PXE-007.US

First Named Inventor: Contag et al.

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PAT H. MENEZ
(Typed or Printed Name of Person Mailing Paper or Fee)

Pat H. Menez
(Signature of Person Mailing Paper or Fee)

This is a Request for a X continuation divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application serial no. 09/464,795 filed on December 16, 1999, entitled NON-INVASIVE EVALUATION OF PHYSIOLOGICAL RESPONSE IN A MAMMAL. This application was filed before May 29, 2000.

1. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. X A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new Power of Attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. References

06/17/2002 ANONDAT1 00000034 09464795

01 FC:131 740.00 OP

Total Claims 11 minus 20 = 0	x \$18.00	\$0
Independent Claims 1 minus 3 = 0	x \$84.00	\$0
Multiple dependent claims (if applicable)	\$280.00	\$0
	BASIC FEE	\$740
	TOTAL OF ABOVE CALCULATIONS	<u>\$740</u>
Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).		<u>\$0</u>
	TOTAL	\$740

6. Small entity status:

- a. Applicants claim small entity status.
- b. X is no longer claimed.

7. X The Commissioner is hereby authorized to credit overpayments or charge any additional fees to Deposit Account No. 18-1648.

8. X A check to cover the \$ 740 application fee is enclosed.

9. X Other: return postcard; Declaration of David B. West, Ph.D.; Extension of Time and fee

10. X Correspondence address

ROBINS & PASTERNAK LLP
 545 Middlefield Road, Suite 180
 Menlo Park, CA 94025
 phone: (650) 325-7812
 fax: (650) 325-7823.

June 11, 2002
 (date)

Dahna S. Pasternak
 Dahna S. Pasternak
 Reg. No. 41,411



20855

PATENT TRADEMARK OFFICE

Atty Doc No PXE-007.US
(9400-0002)
USSN: 09/464,795

#17
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Pat H. Himes
(Typed or Printed Name of Person Mailing Paper or Fee)

Pat H. Himes
(Signature of Person Mailing Paper or Fee)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Contag and Zhang

Serial No.: CPA of 09/464,795

Art Unit: 1632

Filing Date: herewith

Examiner: R. Shukla

Title: NON-INVASIVE EVALUATION OF PHYSIOLOGICAL RESPONSE IN A
MAMMAL

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is filed concurrently with a request for continued prosecution (CPA) in the above-referenced case. A check accompanies the request for CPA and no fee is believed to be due. However, the Commissioner is hereby authorized to charge to Deposit Account No. 18-1648 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.